IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

WP(C).No. 20759 of 2007(U)

PETITIONER:

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1. K.K. PARAMESWARAN,
   KOLLERITHARA HOUSE, B.T.S. ROAD,
   EDAPPALLY, ERNAKULAM.

2. P.N. THILAKAN,
   PALAKKAL HUOSE, VADAKKEKARA,
   NORTH PARAVUR, ERNAKULAM DISTRICT.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV

RESPONDENTS:

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1. THE ASSISTANT EXCISE COMMISSIONER,
   ERNAKULAM.

2. THE ASSISTANT ENGINEER,
   ELECTRICAL SECTION, K.S.E.B.,
   NARAKKAL, ERNAKULAM DISTRICT.

R1 BY G.P. SMT.N.SUDHA DEVI
R2 BY ADV. SRI.P.P.THAJUDEEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.20759 of 2007

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Dated this the 16th day of July, 2007.

JUDGMENT

Heard counsel for the petitioners and Standing Counsel for KSEB. First petitioner claims to be owner of the building in which second petitioner is running a toddy shop. According to the petitioners, toddy shop is run with proper licence issued by the Excise authorities. However, Standing Counsel submitted that the toddy shop got fire and thereafter application is not filed by the owner. Further, according to him, Panchayat has not given consent for running the toddy shop. If connection was there when the toddy shop got fire, then connection should be restored after building is reconstructed by the owner/subscriber. In the circumstances, W.P. is disposed of directing the KSEB to restore supply on the subscriber on record applying for reconnection subject to furnishing security and other formalities. I make it clear that this judgment does not stand in the way of Panchayat ordering shifting or taking appropriate action against the toddy shop, if it is run without licence/permit in accordance with law.

C.N.RAMACHANDRAN NAIR
Judge

pms